

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JASON FRAZIER & EARL FERGUSON,

Plaintiffs,

v.

FULTON COUNTY DEPARTMENT OF  
REGISTRATION AND ELECTIONS,  
ET AL.,

Defendants.

CIVIL ACTION FILE

No. 1:24-CV-03819-SCJ

ORDER

This matter appears before the Court on Plaintiffs' Complaint, which as part of the prayer for relief requests "[a] Rule Nisi [] commanding Defendants to appear and show cause why the relief demanded herein should not be granted." Doc. No. [1], 32.<sup>1</sup> A Rule Nisi is not a federal procedure, but a function of Georgia law. See Almond v. Bank of N.Y. Mellon, No. 1:18-CV-03461-MLB, 2019 WL 13060117, at \*6 & n.2 (N.D. Ga. Nov. 20, 2019); see also Brooks v. State, 162 Ga.

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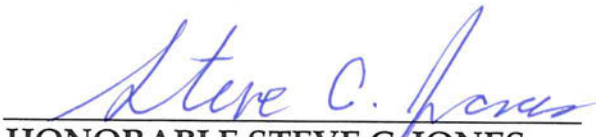
<sup>1</sup> All citations are to the electronic docket unless otherwise noted, and all page numbers referenced are those imprinted by the Court's docketing software.

App. 485, 485, 292 S.E.2d 89, 89-90 (1982) (“In general, a rule nisi is a process (order) of court which issues in pending litigation to formally notify parties of and compel them to appear at hearings for determination, prior to trial and final judgment, of preliminary, temporary or other interlocutory matters.” (quoting Herring v. Standard Guar. Ins. Co., 238 Ga. 261, 262 232 S.E.2d 544, 545 (1977))).

The Court thus construes Plaintiffs’ request for a Rule Nisi to be a request for a hearing. Given the time-sensitivity of Plaintiffs’ allegations, the Court hereby **ORDERS** the Parties to appear for a hearing on this motion on September 12, 2024, at 11:00 A.M. at the Richard B. Russell Federal Building and United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, Georgia, in **Courtroom 1907**.

The Court understands that Defendants have not yet been served and so the Court also **ORDERS** Plaintiffs to make every effort to immediately provide notice of this hearing to Defendants and to serve, in accordance with applicable law, Defendants with a copy of (1) the Complaint and (2) this Order.

IT IS SO ORDERED this 30th day of August, 2024.

  
HONORABLE STEVE C. JONES  
UNITED STATES DISTRICT JUDGE